payable after the expiry of the said specified period, the same proportion as the period up to the notified date bears to the whole of the said specified period.".

4. *Amendment of section 9, Tamil Nadu Act 37 of 1971.*—In sub-section (1) of section 9 of the principal Act, after the expression " determined under section 5 shall ", the expression " after the deduction, if any, made under this Act " shall be inserted.

இணைப்பு X.

[370- ஆம் பக்கத்திலுள்ள இனம் 6(8) க்கான அடிக்குறிப்பைக் காண்க.]

L.A. BILL No. 40 OF 1972.

(As passed by the Assembly)

A Bill further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-third Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972.

2. *Definition.*—In this Act, " principal Act " means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified.

3. *Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modifications.*—The principal Act shall, on and from the 6th day of April 1960, have effect as if,—

(1) in section 3 of the principal Act, to clauses (32) and (47), the following *Explanation* had been added, namely :—

" *Explanation.*—The expression " fruit or nut bearing trees " shall not include plantain tree.";

(2) after section 3-D of the principal Act, the following section had been inserted, namely :—

" 3-E. *Certain special definitions.*—Notwithstanding anything contained in this Act, if by virtue of the operation of section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land)

1972 ஆகஸ்ட் 25]

Fifth Amendment Act, 1972, the total extent of land held by any person exceeds the ceiling area, then, in relation to such person and in this Act, unless the context, otherwise requires,—

(i) "date of the commencement of this Act" means—

(a) for the period before the 15th day of February 1970, the 6th day of April 1960;

(b) for the period commencing on the 15th day of February 1970, the 15th day of February 1970;

(ii) "notified date" means the date specified by the Government in a notification, which shall be a date subsequent to the date of the publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972, in the *Tamil Nadu Government Gazette*.";

(3) in sections 8 (1) (vi), 9 (3) (a), 10 (1) (vi), 13 (1) (iii), 30 and 73 (vi), (viii) and (xi) of the principal Act, for the expression "on the date of the commencement of this Act", the expression "on the 6th day of April 1960", had been substituted;

(4) in section 73 of the principal Act, for clause (iii), the following clause had been substituted, namely :—

"(iii) any land assigned by the Government to and held by, any Land Colonisation Co-operative Society;".

4. *Validation.*—Notwithstanding anything contained in any judgment, decree, or order of any court or other authority, all acts done and proceedings taken by any officer or authority under the principal Act, before the date of the publication of this Act in the *Tamil Nadu Government Gazette*, on the basis that plantain trees did not fall within "orchard" or "tope" as defined in clause (32) or (47) respectively of section 3 of the principal Act, shall for all purposes be deemed to be and to have always been validly done or taken in accordance with law as if section 3 (1) of this Act had been in force at all material times when such acts or proceedings were done or taken.